

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

VIAMEDIA, INC.,	)	
	)	
Plaintiff,	)	No. 16 C 5486
	)	
v.	)	Hon. Charles R. Norgle, Sr.
	)	
COMCAST CORPORATION and	)	
COMCAST CABLE COMMUNICATIONS	)	
MANAGEMENT, LLC,	)	
	)	
Defendants.	)	

**COMCAST’S MOTION TO FILE UNDER SEAL ITS  
REPLY MEMORANDUM IN SUPPORT OF ITS MOTION TO COMPEL**

Defendant Comcast Corporation (joined by Comcast Cable Communications Management, LLC, successor to Comcast Spotlight, LP) (collectively “Comcast”) respectfully moves the Court to grant it leave to file its Reply Memorandum in Support Of Its Motion to Compel Responses To Its Interrogatories and Requests for Production (“Reply Memorandum”) under seal, pursuant to Federal Rule of Civil Procedure 26(c) and Local Rule 26.2.

In support thereof, Comcast states as follows:

1. Today, December 1, 2020, Comcast filed the Reply Memorandum in support of its November 5, 2020 Motion to Compel. The Reply Memorandum contains references to discovery responses that Viamedia designated as confidential on the face of its responses. Accordingly, and pursuant to Local Rule 26.2(c), Comcast has provisionally filed the Reply Memorandum under seal. Comcast also will file a redacted version of the Reply Memorandum excluding portions that Comcast seeks, by this motion, to maintain under seal.

2. As the Seventh Circuit has recognized, a Court may keep documents or portions thereof under seal if “there is good cause for sealing a part or the whole of the record.” *Citizens First Nat’l Bank of Princeton v. Cincinnati Ins. Co.*, 178 F.3d 943, 945 (7th Cir. 1999); *see also* Local Rule 26.2(b) (applying “good cause” standard). Accordingly, the Court may seal filings if there are “legitimate concerns of confidentiality,” *Grove Fresh Dist., Inc. v. Everfresh Juice Co.*, 24 F.3d 893, 898 (7th Cir. 1994), such as where the information in question “meet[s] the definition of trade secrets or other categories of bona fide long-term confidentiality,” *Baxter Intern., Inc. v. Abbott Labs.*, 297 F.3d 544, 545 (7th Cir. 2002).

3. Here, the Reply Memorandum that Comcast seeks to file under seal contains references to discovery responses that Viamedia has designated as confidential. The inclusion of such information in the Reply Memorandum presents a legitimate concern of confidentiality and gives good cause to file the Reply Memorandum under seal.

WHEREFORE, Comcast respectfully requests the Court enter an order granting it leave to file the Reply Memorandum under seal.

Dated: December 1, 2020

Respectfully submitted,

COMCAST CORPORATION AND  
COMCAST CABLE COMMUNICATIONS  
MANAGEMENT, LLC

/s/ Ross B. Bricker

Ross B. Bricker  
Michael T. Brody  
JENNER & BLOCK LLP  
353 N. Clark Street  
Chicago, IL 60654-3456  
Tel: (312) 222-9350  
Fax: (312) 527-0484  
rbricker@jenner.com  
mbrody@jenner.com

Arthur J. Burke (pro hac vice)  
David B. Toscano (pro hac vice)  
Christopher P. Lynch (pro hac vice)  
DAVIS POLK & WARDWELL LLP  
450 Lexington Avenue  
New York, New York 10017  
Tel: (212) 450-4000  
Fax: (212) 701-5800  
Arthur.Burke@davispolk.com  
David.Toscano@davispolk.com  
Christopher.Lynch@davispolk.com

*Attorneys for Defendants Comcast  
Corporation and Comcast Cable  
Communications Management, LLC*

**CERTIFICATE OF SERVICE**

I, Ross B. Bricker, an attorney, certify that on December 1, 2020, I caused **Comcast's Motion to File Under Seal Its Reply Memorandum In Support Of Its Motion To Compel** to be served on all counsel of record listed via the Court's ECF system.

/s/ Ross B. Bricker